

UNITED STATES DISTRICT COURT

for the
Southern District of Texas~~United States District Court~~
Southern District of Texas
FILED

FEB 11 2015

Clerk of Court

United States of America)

v.)

Francisco Javier Sanchez-Villarreal)

YOB: 1975)

Citizenship: Mexico)

Case No.

M-15-0208-M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of February 10, 2015 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21USC841

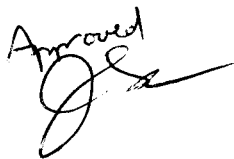
defendant did knowingly and intentionally possess with the intent to distribute approximately 6.05 kilograms of cocaine, a Schedule II controlled substance.

This criminal complaint is based on these facts:

On February 10, 2015, Pharr Police Department Officer Jose Tamez was conducting enforcement operations, in a marked K-9 patrol unit, in the area of the 800 block of W. Ridge Road. Officer Tamez is a Task Force Officer (TFO) assigned to the Homeland Security Investigations (HSI) office in McAllen, Texas.

SEE ATTACHMENT "A"

✓ Continued on the attached sheet.

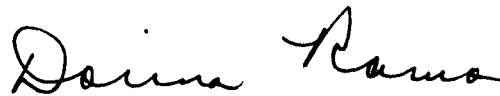


Complainant's signature

Andrew Bowman, HSI Special Agent

Printed name and title

Sworn to before me and signed in my presence.

Date: 2/11/2015

Judge's signature

City and state: McAllen, Texas

U.S. Magistrate Judge Dorina Ramos

Printed name and title

Attachment "A"

TFO Tamez observed a white International tow truck, displaying Texas license plate; T8075D, traveling east on W. Ridge Road at forty-nine (49) miles per hour in a posted forty-five (45) mph area. As TFO Tamez conducted a u-turn, he also observed the vehicle conduct an abrupt right lane change, nearly striking another vehicle. TFO Tamez conducted a traffic stop on the vehicle and made contact with the driver, Francisco Javier SANCHEZ-Villarreal, the sole occupant.

TFO Tamez immediately noticed SANCHEZ's neck muscles pulsating and his hands were shaking. TFO Tamez asked if he had anything illegal in the vehicle and if he could have consent to search the vehicle. SANCHEZ stated there was nothing illegal in the vehicle and provided verbal consent for the search. TFO Tamez requested SANCHEZ to exit the vehicle and stand with him at the front of his marked unit. TFO Tamez presented SANCHEZ with a written consent form and SANCHEZ asked if he could call someone first. TFO Tamez decided to walk his K-9 narcotics detection dog "Chachi" around the vehicle. The dog immediately alerted to the odor of narcotics at the front driver's door. TFO Tamez placed his dog back into his police unit and explained to SANCHEZ that his dog alerted on his vehicle. TFO Tamez provided SANCHEZ his Miranda warning verbally, in Spanish. TFO Tamez asked what was in the vehicle that caused his dog to alert. SANCHEZ stated there were drugs in the vehicle and after being asked, he clarified it was cocaine. TFO Tamez asked SANCHEZ to show him where it was located and SANCHEZ told him that it wasn't even hidden and pointed to an "Abercrombie Kids" shopping bag. TFO Tamez looked into the bag and observed five (5) large packages wrapped in brown tape. (TFO Tamez recognized the packaging as the common method of narcotics packaging). TFO Tamez placed SANCHEZ into custody and placed him the marked unit. TFO Tamez also found five (5) smaller clear baggies on the left side of the driver's seat that contained a white powdery substance. SANCHEZ had \$462.00 USD in his wallet and \$1000.00 USD in his front pocket.

Homeland Security Investigations (HSI) Special Agent (SA) Andrew Bowman interviewed SANCHEZ with TFO Tamez at the Pharr Police Department. TFO Tamez provided translation, due to SANCHEZ only being able speak Spanish. Post-miranda, SANCHEZ stated he was paid the \$1000.00 USD to transport and deliver all the cocaine in the vehicle to other individuals. SANCHEZ stated he did not have the name or number, for the

person who paid him and provided the cocaine, nor did he have a description of the people he was delivering it to. SANCHEZ stated this was the second time he has delivered this amount of cocaine in the past month, for the above unknown individual.

The total weight of the five (5) bricks and five (5) baggies was 6.05 kilograms. The white powdery substance field-tested positive for the properties of cocaine.